

**SUPREME COURT MINUTES
THURSDAY, JUNE 21, 2012
SAN FRANCISCO, CALIFORNIA**

S163273 C054365 Third Appellate District **PEOPLE v. CORREA
(VICTOR)**

Opinion filed: Judgment affirmed in full

The judgment of the Court of Appeal is affirmed.

Majority Opinion by Corrigan, J.

-- joined by Kennard, A. C. J., Baxter, Chin, Liu, and Sepulveda*, JJ.

Concurring Opinion by Werdegarr, J.

* Associate Justice, Court of Appeal, First Appellate District, Division Four, assigned by the Acting Chief Justice pursuant to article VI, section 6, of the California Constitution.

S179552 C060376 Third Appellate District **PEOPLE v. JONES
(JARVONNE FEREDDELL)**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal and remand the matter to that court for further proceedings consistent with this opinion.

Majority Opinion by Chin, J.

-- joined by Kennard, A. C. J., Baxter, Corrigan, and Sepulveda*, JJ.

Concurring Opinion by Werdegarr, J.

-- joined by Liu, J.

Concurring Opinion by Liu, J.

-- joined by Werdegarr, J.

* Associate Justice of the Court of Appeal, First Appellate District, Division Four, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S183703 G040798 Fourth Appellate District, Div. 3 **PARKS (ALLAN) v. MBNA
AMERICA BANK N.A.**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed and the matter remanded for further proceedings.

Majority Opinion by Liu, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Corrigan, and Gomes*, JJ.

* Associate Justice, Court of Appeal, Fifth Appellate District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S044693**PEOPLE v. WALL (RANDALL
CLARK)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Andrea G. Asaro's representation that she anticipates filing the appellant's opening brief by January 2013, counsel's request for an extension of time in which to file that brief is granted to August 27, 2012. After that date, only three further extensions totaling about 150 additional days are contemplated.

S044739**PEOPLE v. BANKSTON
(ANTHONY GEORGE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Steven E. Mercer's representation that he anticipates filing the respondent's brief by November 12, 2012, counsel's request for an extension of time in which to file that brief is granted to August 21, 2012. After that date, only two further extensions totaling about 83 additional days will be granted.

S062259**PEOPLE v. SCULLY
(ROBERT WALTER)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Margo Garey's representation that she anticipates filing the appellant's opening brief by July 31, 2012, counsel's request for an extension of time in which to file that brief is granted to July 31, 2012. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S080276**PEOPLE v. NG (CHARLES
CHITAT)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Kenneth N. Sokoler's representation that he anticipates filing the respondent's brief by August 21, 2012, counsel's request for an extension of time in which to file that brief is granted to August 21, 2012. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S084996**PEOPLE v. CHHOUN (RUN
PETER)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's opening brief by March 2013, counsel's request for an extension of time in which to file that brief is granted to August 14, 2012. After that date, only four further extensions totaling about 210 additional days will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S097558**PEOPLE v. GARTON (TODD
JESSE)**

Extension of time denied

Appellant Garton's request for a further extension of time to file the appellant's opening brief is denied.

S098318**PEOPLE v. HENDERSON
(PAUL NATHAN)**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the appellant's opening brief is granted to July 6, 2012. After that date, no further extensions will be granted.

Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S131819**PEOPLE v. WILLIAMS
(GEORGE)**

Extension of time granted

Good cause appearing, and based upon counsel Paul J. Spiegelman's representation that he anticipates filing the appellant's opening brief by December 31, 2012, counsel's request for an extension of time in which to file that brief is granted to August 21, 2012. After that date, only three further extensions totaling about 130 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S150524**PEOPLE v. ARGUETA
(CARLOS MARVIN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Nina Wilder's representation that she anticipates filing the appellant's opening brief by March 8, 2013, counsel's request for an extension of time in which to file that brief is granted to August 21, 2012. After that date, only four further extensions totaling about 200 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S155510**PRINCE, JR., (CLEOPHUS)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Quisteen S. Shum's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by August 29, 2012, counsel's request for an extension of time in which to file that document is granted to August 29, 2012. After that date, no further extension is contemplated.

S180828**CURL (ROBERT ZANE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Cristina Bordé's representation that she anticipates filing the opposition to respondent's motion for access to sealed Penal Code section 987.9 materials by July 9, 2012, counsel's request for an extension of time in which to file that document is granted to July 9, 2012. After that date, no further extension will be granted.

S196568**SALAS (VICENTE) v. SIERRA
CHEMICAL COMPANY**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to August 6, 2012.

S200872

B231245 Second Appellate District, Div. 2

**LONG BEACH POLICE
OFFICERS ASSOCIATION v.
CITY OF LONG BEACH (LOS
ANGELES TIMES
COMMUNICATIONS LLC)**

Application to appear as counsel pro hac vice granted

The application of Christina L. Corl for admission pro hac vice to appear on behalf of National

Fraternal Order of Police is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S200872

B231245 Second Appellate District, Div. 2

**LONG BEACH POLICE
OFFICERS ASSOCIATION v.
CITY OF LONG BEACH (LOS
ANGELES TIMES
COMMUNICATIONS LLC)**

Application to appear as counsel pro hac vice granted

The application of Larry H. James for admission pro hac vice to appear on behalf of National Fraternal Order of Police is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S178239

PEOPLE v. HARRIS (KAI)

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Conrad Petermann is hereby appointed to represent appellant Kai Harris for both the direct appeal and related state habeas corpus/executive clemency proceedings in the above automatic appeal now pending in this court.

S198360

**WIRSCHING ON
DISCIPLINE**

Remanded to State Bar – BRIAN DAVID WIRSCHING

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silvertown* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S198611

SEIFFERT ON DISCIPLINE

Remanded to State Bar – WILLIAM CALLAHAN SEIFFERT

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silvertown* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S198615

ST. JAMES ON DISCIPLINE

Remanded to State Bar – BRION LEIGH ST. JAMES

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silvertown* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S198627**BRUNO ON DISCIPLINE**

Remanded to State Bar – LOUIS GORDON BRUNO

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S198712**SARGETIS ON DISCIPLINE**

Remanded to State Bar – JOHN STEVE SARGETIS

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199030**WALKER ON DISCIPLINE**

Remanded to State Bar – RHONDA KAY WALKER

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199033**MUCK ON DISCIPLINE**

Remanded to State Bar – CURTIS GEORGE MUCK

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199050**TUCKER ON DISCIPLINE**

Remanded to State Bar – DUANE LYNN TUCKER

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199219**PENSANTI ON DISCIPLINE**

Remanded to State Bar – LOUISA BELLE PENSANTI

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199224**SMITH ON DISCIPLINE**

Remanded to State Bar – THOMAS WILLIAM SMITH

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199377**ARASE ON DISCIPLINE**

Remanded to State Bar – DAVID KIYOSHI ARASE

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199703**NOVECK ON DISCIPLINE**

Remanded to State Bar – DANIEL MARK NOVECK

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199709**SMITHWICK ON DISCIPLINE**

Remanded to State Bar – GEORGE TIMOTHY SMITHWICK

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199711**TOCHTERMAN ON DISCIPLINE**

Remanded to State Bar – JEFFREY DAVID TOCHTERMAN

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199840**NOE ON DISCIPLINE**

Remanded to State Bar – LARRY GENE NOE

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199842**REBER ON DISCIPLINE**

Remanded to State Bar – ZACHARY BRYANT REBER

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S199843**REED ON DISCIPLINE**

Remanded to State Bar – THOMAS LLEWELLYN REED

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S200175**CURRIE ON DISCIPLINE**

Remanded to State Bar – DAVID GLENN CURRIE

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S200177**KRITZ ON DISCIPLINE**

Remanded to State Bar – DANIEL EUGENE KRITZ

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S200187**BROWN ON DISCIPLINE**

Remanded to State Bar – LORNA PATTON BROWN

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S200189**COOKE ON DISCIPLINE**

Remanded to State Bar – KENNETH MATTHEW COOKE

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S200196**FELDMAN ON DISCIPLINE**

Remanded to State Bar – STEVEN CRAIG FELDMAN

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S200321**RAYNSFORD ON
DISCIPLINE**

Remanded to State Bar – RICK L. RAYNSFORD

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)

S200326**WRIGHT ON DISCIPLINE**

Remanded to State Bar – HAL ERWIN WRIGHT

The above-entitled matters are returned to the State Bar for further consideration of the recommended discipline in light of the applicable attorney discipline standards. (*In re Silverton* (2005) 36 Cal.4th 81, 89-94; see *In re Brown* (1995) 12 Cal.4th 205, 220.)